

PRELIMINARY AMENDMENT
Continuation of USSN 09/457,254

42. (New) The method of claim 40, wherein the fluid comprises at least one therapeutic agent.

43. (New) The method of claim 40, wherein the second direction is at an angle of about 5 to about 90 degrees relative to the first direction.

44. (New) The method of claim 40, wherein the tissue is selected from the group consisting of tumors, heart, lung, brain, liver, kidney, bladder, urethra, ureters, eye, intestines, stomach, pancreas, ovary, prostate, skeletal muscle, smooth muscle, breast, cartilage and bone.

45. (New) The method of claim 40, wherein the at least one secondary penetrating member comprises microneedles.--

REMARKS

Entry of the amendments above and favorable consideration of this application are respectfully requested in view of the comments below.

The specification is amended herein to include related U.S. application data. The original claims are canceled herein and replaced with new claims 28 through 45.

Accordingly, claims 28 - 45 are presented for examination on the merits. The new claims are believed to be supported by the specification. Favorable consideration of these claims, is respectfully requested.

Applicants request that the preceding specification and claim amendments be made of record and fully considered before the first Office Action on the merits. The amendments to the specification and claims are shown in the "Version with Markings to Show Changes Made," which is attached hereto.

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The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss any matter concerning this application. The Office is authorized to charge any fees or credit any overpayment under 37 C.F.R. §§1.16 or 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,
KENYON & KENYON

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In the Specification:

The paragraph beginning at page 1, line 6 is amended herein as follows:

-- This application is related to co-pending Patent Application Serial No. []
09/457,453, filed on even date herewith, entitled INJECTION ARRAY APPARATUS AND
METHOD; co-pending Patent Application Serial No. [] 09/457,193, filed on even
date herewith, entitled LATERAL NEEDLE-LESS INJECTION APPARATUS AND
METHOD; and co-pending Patent Application Serial No. [] 09/456,456, filed on
even date herewith, entitled NEEDLE-LESS INJECTION APPARATUS AND METHOD. --

In the Claims:

Claims 1-27 are canceled herein.